

AGENDA

COMMITTEE ON BILLS ON SECOND READING

September 25, 2006
Aldermen Duval, Lopez,
Gatsas, Garrity, Pinard

7:00 PM
Aldermanic Chambers
City Hall (3rd Floor)

1. Chairman Duval calls the meeting to order.

2. The Clerk calls the roll.

3. Ordinances:

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 713, Lot 1, known as land on Brown Avenue.”

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 866, Lot 6, (consolidated from former 141 Broadhead and 142 through 145/half of this parcel) known as land on Brown Avenue.”

Gentlemen, what is your pleasure?

4. Ordinances:

“Amending Sections 33.024, 33.025, & 33.026 (Systems/ Programming Manager-Systems/Development Manager, Computer Programmer-Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

“Amending Sections 33.024, 33.025, & 33.026 (Senior Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

Gentlemen, what is your pleasure?

5. Ordinances:

Amending Section 33.054 (B) (2) (Overtime Compensation/Comp Time) of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.076 (A), Special Leave of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.080 (A) (1) Military Service, of the Code of Ordinances of the City of Manchester.”

“Amending Section 33.062 (D), Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

Gentlemen, what is your pleasure?

TABLED ITEMS

A motion is in order to remove any of the following items from the table for discussion.

6. Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

(Tabled 08/21/2006)

(Note: communication from the Director of Planning recommending four changes and providing several comments on the issues raised at the 08/21/2006 public hearing.)

7. Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay District to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

(Tabled 08/21/2006)

8. Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.09B 2 regarding the use of front yard areas for parking in residential districts.”

(Tabled 08/21/2006)

9. Ordinance:

“Amending the Zoning Ordinance of the City of Manchester by adding language to 5.11 Table of Accessory Uses regarding the storage of unregistered automobiles.”

(Tabled 08/21/2006)

10. Ordinance:

“Amending the Building Code of the City of Manchester as adopted in Section 151.01 of the City of Manchester Code of Ordinances by repealing the 1999 National Electrical Code and adopting the 2005 edition of the National Electrical Code; by repealing the 1993 BOCA National Plumbing Code and adopting the 2000 edition of the International Plumbing Code as amended by the State of NH Board of Licensing and Regulation of Plumbers and with further amendments contained herein.”

(Note: Electrical Code adopted by the BMA on 09/05/2006. Plumbing Code tabled in Committee on 08/21/2006.)

11. Ordinance:

“Amending Chapter 1 Administration of the Building Code of the City of Manchester providing for increased fees.”

(Tabled 08/21/2006)

12. Ordinance:

“Amending Chapter 150 Housing Code, Subsection 150.114 and Chapter 155 Zoning Code, Subsection 155.02 of the Code of Ordinances of the City of Manchester by providing for increased fees.”

(Tabled 08/21/2006)

13. If there is no further business, a motion is in order to adjourn.

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that the below referenced properties be found surplus to City needs and disposed of through sale to the State of New Hampshire, Department of Transportation (DOT) subject to prices and conditions as further outlined and contained herein.

Subject properties:

Airport properties:

Londonderry Map 28, Lots 14; 21-11 (\$87,000)
Londonderry Map 28, Lot 17-2 (\$69,000)
Manchester Map 712, Lot 1-B
Londonderry Map 14, Lot 49 (with Londonderry lot 1-B \$17,000)
Londonderry Map 14, Lot 45-1 (\$750,000)
Londonderry Map 14, Lot 19 (\$6,000)
Manchester Map 866, Lots 63,63A; reserve easements both lots (\$95,000)
Manchester Map 866, Lot 64; reserve easement (\$95,000)
Manchester Map 866, Lot 38; reserve easement (\$95,000)
Manchester Map 711, Lot 55 (\$16,700)
Manchester Map 711, Lot 6 (\$150,000)
Manchester Map 866, Lot 37; reserve easement (\$95,000)

Tax Deeded properties

Manchester Map 713, Lot 1 (sale price \$27,000)
Manchester Map 866, Lot 36 (sale price \$2,400)

Total sale price all properties \$1,505,100.

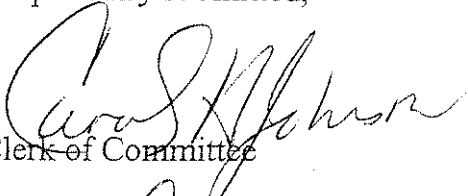
Disposition of such properties shall be subject to execution of water, sewer, and drainage utility easements as noted above and subject to the review and approval of the Airport Director and City Solicitor.

The Committee notes that it finds just cause to dispose of such properties to the DOT as these properties are to be included in an Airport Access Road which is anticipated to alleviate traffic burdens on City residents and roadways and provide easier outside access to regional airport activities.

The Committee advises that the Planning Director has reviewed and recommended the properties be found surplus, the Tax Collector has no objection to sale of said properties and the Board of Assessors has reported the above noted values offered by the DOT are deemed reasonable.

In accordance with statutory requirements, the Committee has submitted ordinances for disposition of tax deeded properties and recommends same be referred to the Committee on Bills on Second Reading for technical consideration, with the request that said Ordinances be considered for adoption at the first meeting in October 2006.

Respectfully submitted,


Clerk of Committee

At a meeting of the Board of Mayor and Aldermen

held Sept 5, 2006 on a motion of Ald. Thibault

duly seconded by Ald. Smith the report

of the Committee was accepted and its recommendations

(adopted) ~~(denied)~~


City Clerk

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Authorizing the Mayor to dispose of certain tax deeded property located at Map 713, Lot 1, known as land on Brown Avenue.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

- I. That in accordance with New Hampshire RSA 80:42, the Mayor is authorized to convey a parcel of tax-deeded property known as Map 713, Lot 1, in the City of Manchester to State of New Hampshire Department of Transportation. The sale shall be evidenced by a deed without covenants and such other instruments as may be necessary to release all right, title, interest or claim in said parcel. Said property formerly owned by Edmund M. Warren was acquired by the City of Manchester by virtue of Tax Collector's Deed, dated September 16, 1940, and recorded in the Hillsborough County Registry of Deeds, Volume 1007, Page 266, on September 16, 1940. The purchase price of the parcel shall be Twenty Seven Thousand Dollars (\$27,000.00) deemed a reasonable price by the Board of Assessors, and all of the costs related to this transaction.
- II. This Ordinance shall remain in effect for six months from the date of passage.

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Authorizing the Mayor to dispose of certain tax deeded property located at Map 866, Lot 6, (consolidated from former 141 Broadhead and 142 through 145/half of this parcel) known as land on Brown Avenue."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. That in accordance with New Hampshire RSA 80:42, the Mayor is authorized to convey a parcel of tax-deeded property located at Map 866, Lot 6, (consolidated from former 141 Broadhead and 142 through 145/half of this parcel Broadhead) known as land on Brown Avenue in the City of Manchester to State of New Hampshire Department of Transportation. The sale shall be evidenced by a deed without covenants and such other instruments as may be necessary to release all right, title, interest or claim in said parcel and portions of any discontinued street abutting said parcel. The aforementioned property, formerly owned by Otis H Perry, was acquired by the City of Manchester by virtue of a Tax Collector's Deed, dated September 15, 1941 as recorded in the Hillsborough County Registry of Deeds, Volume 1023, Page 359, on September 15, 1941, and a Tax Collector's Deed dated October 2, 1936 as recorded in the Hillsborough County Registry of Deeds, Volume 956, Page 255. The purchase price of this entire parcel shall be Two Thousand Four Hundred Dollars (\$2,400.00) deemed a reasonable price by the Board of Assessors, and all of the costs related to this transaction.
- II. This Ordinance shall remain in effect for six months from the date of passage.

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully recommends, after due and careful consideration, that a request for reclassification and updates to positions in the Information Systems Department be approved as follows:

Computer Operator II

Update content of class specification; no change in salary.

Web Services Administrator

Update content of class specification; no change in salary.

Systems/Programming Manager

Update content of class specification; no change in salary, change title to Systems/Development Manager.

Computer Programmer

Update content of class specification; increase salary from Grade 18 to Grade 19, and change title to Applications Developer/Analyst.

Computer Programmer/Analyst

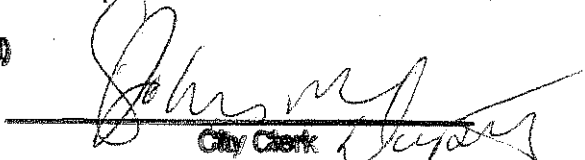
Update content of class specification, no change in salary, change title to Senior Applications Developer/Analyst.

For such purpose ordinances have been submitted for referral and adoption as appropriate.

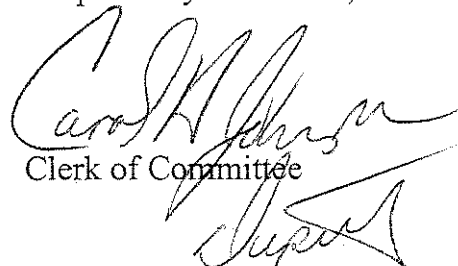
Aldermen Gatsas, Shea, Pinard, Duval in favor; Alderman Garrity absent.

At a meeting of the Board of Mayor and Aldermen
held Sept 5, 2006 on a motion of Ald. O'Neil
duly seconded by Ald. Duval the report
of the Committee was accepted and its recommendations

(adopted) (denied)


City Clerk

Respectfully submitted,


Clerk of Committee

4

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending Sections 33.024, 33.025, & 33.026 (Systems/Programming Manager-Systems/Development Manager, Computer Programmer-Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Delete Systems/Programming Manager, Class Code 2210
Establish Systems/Development Manager, Class Code 2210

Delete Computer Programmer, Class Code 2180
Establish Applications Developer/Analyst, Class Code 2180

SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Delete Systems/Programming Manager, Class Code 2210, Grade 23
Establish Systems/Development Manager, Class Code 2210, Grade 23

Delete Computer Programmer, Class Code 2180, Grade 18

Establish Applications Developer/Analyst, Class Code 2180, Grade 19

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Change Class Specification for Systems/Programming Manager to Systems/Development Manager, Class Code 2210, Grade 23, exempt (see attachment)

Change Class Specification for Computer Programmer to Applications Developer/Analyst, Class Code 2180, Grade 19 non-exempt (see attachment)

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

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City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Systems/Programming Manager	
Class Title	Systems/Development Manager	
Class Code Number	2210-23	

General Statement of Duties

Manages and supervises computer programming, computer operations, systems analysis applications development/analysis, Web services administration, GIS services administration and computer operations staff, and related functions; performs related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to ensure computer applications operate in service of City Departments. The work is performed under the supervision and direction of the Information Services Director but extensive leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of employees in the class of Computer Operator I and II, Computer Programmer, Computer Programmer/Analyst Applications Developer/Analyst, Senior Applications Developer/Analyst, Web Services Administrator, GIS Services Administrator and related technical personnel. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other information technology personnel, other City employees, technical vendors and the public. The principal duties of this class are performed in a general office environment.

Examples of Essential Work
(illustrative only)

- Supervises ~~applications~~ application development, Web administration, GIS administration and operations staff, including coordinating data processing, reviewing applications and support requests, assigning work to staff, testing data to ensure program integrity and providing technical advice to staff as necessary;
- Serves as the City's project manager for the implementation and administration of City-wide systems, including coordinating training; monitoring, scheduling and implementing software revisions; problem resolution with vendors and users; overseeing transfer of information and service delivery from existing systems to new systems; and developing programs to extract information from existing systems as necessary;
- Maintains systems software, including operating systems, databases, compilers and utilities;
- Inspects, evaluates, determines and diagnoses systems failures and initiates corrective processes;
- Directs, implements and oversees maintenance and repair procedures on systems and equipment;
- Prepares plans, technical reports, statistical data and records on systems use;
- Writes detailed technical specifications for proposals and bids, evaluates proposals and administers contracts;
- Participates in the development of policies and procedures relating to the security of microcomputers, network applications and disaster recovery;
- Prepares budget for assigned area;
- Maintains and modifies vendor software packages;
- Analyzes, reviews, writes and/or rewrites programs for new requirements or to increase operational efficiency;
- Designs procedure, operation and user manuals and provides subsequent training;
- Applies expert systems analysis and design techniques to complex system development in a broad or specialized design area and/or resolves unique or unyielding problems in existing systems by applying new technology;
- Designs and monitors necessary testing and implementation plans;
- Performs other duties of technical analytical personnel as necessary;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the division;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;

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- Responds to questions and comments from City department heads and other users in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

Required Knowledge, Skills and Abilities
(at time of appointment)

- Comprehensive knowledge of assigned system needs, including user requirements, priorities, and interests;
- Comprehensive knowledge of City computing resources and related networks;
- Comprehensive knowledge of computer application design and programming practices and procedures;
- Comprehensive knowledge of computer system programming languages used by the City;
- Comprehensive knowledge of data processing practices and procedures;
- Comprehensive knowledge of data processing troubleshooting principals and practices;
- Comprehensive knowledge of computer equipment application software and operating systems;
- Comprehensive knowledge of information technology system concepts;
- Comprehensive knowledge of computer terminal usage;
- Ability to analyze and comprehend various administrative and business operations and to apply computer technology to those operations;
- Ability to provide expertise on application software, computer languages and operating systems;
- Ability to train, supervise, evaluate and coordinate the work of others;
- Ability to establish and maintain effective working relationships with associates, City employees and outside vendors;
- Ability to understand and adapt to different governmental business activities easily;
- Ability to analyze and understand user needs underlying assigned system development requests;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;

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- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelors Degree in Computer Science or related field; and
- Considerable experience in developing and maintaining computer programs and applications; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to review a wide variety of materials in electronic or hardcopy form;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to access computer program information and to operate related equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to transport assigned equipment as necessary to perform timely computer program review and troubleshooting procedures, and to function within the general office environment.

Approved by: _____ Date: _____

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City of Manchester, New Hampshire

Class Specification

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

Class Title	Applications Developer/Analyst Computer Programmer
Class Code Number	21800-1819

General Statement of Duties

Develop, deploy, and support Information Technology (I.T.) business software applications Programs
Information Technology (I.T.) applications; performs directly related work as required.

Distinguishing Features of the Class

The principal function of an employee in this class is to develop, deploy, and support business software applications to meet business objectives to program software systems to meet user needs. "Develop" means to analyze needs, determine best approach, design (program) new applications, configure vendor-supplied applications, and provide post-deployment support and maintenance.- The work is performed under the supervision and direction of the Senior Applications Developer/Analyst the Computer Programmer/Analyst and the Systems/Programming Manager but considerable leeway is granted for the exercise of independent judgement and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other information technology personnel, other City employees, technical vendors and the public. The principal duties of this class are performed in a general office environment.

Examples of Essential Work
(illustrative only)

- Applies appropriate application development standard programming procedures and detailed knowledge of pertinent subject matter in an assigned programming area;
- Designs, writes software ~~Develops, codes and tests~~ computer applications and related software systems;
- Designs and deploys computer applications as assigned, interacting with users or based on supervisor direction;
- Tests application program components to meet system design requirements;
- Provides technical support on application software programming systems and related business issues to City department personnel;
- Acts as technical liason/advocate for City users to third-party software vendors;
- Recognizes probable interactions of related software systems ~~other related programs~~ with assigned projects/programs and is familiar with current computing systems, software environments, infrastructure, and equipment currently in use by the City ~~related system software and computer equipment~~;
- Solves conventional programming and development problems;
- Participates in system design and testing for new or modified systems in coordination with the Senior Applications Developer/Analyst ~~Computer Programmer/Analyst~~;
- Performs troubleshooting, and file recovery, and debugging as needed;
- Coordinates project activities with other City personnel involved in information services activities;
- Participates in training programs;
- Prepares progress reports and other documents in conformance with assigned procedures;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the department;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to questions and comments from City department heads and other users in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

4

Required Knowledge, Skills and Abilities
(at time of appointment)

- Thorough knowledge of assigned system and application program needs, including design concepts, and user requirements;
- Thorough knowledge of City computing resources, and related networks, and policies;
- Thorough knowledge of software development environments, tools, languages, and resources in use a wide variety of computer system programming languages used by the City;
- Thorough knowledge of computer application design and programming practices and procedures;
- Thorough knowledge of information technology practices, and procedures, trends, and principles;
- Thorough knowledge of the operation of centralized and workstation micro-computer equipment and software;
- Thorough knowledge of application software troubleshooting principles-techniques and practices;
- ThoroughSubstantial knowledge of relational database terminology, design, usage, security, operation, maintenance and querying (including SQL);
- Thorough knowledge of Structured Query Language (SQL) and database management system (DBMS) capabilities;
- Substantial knowledge of computing and application architecture methodologies (including but not limited to web-based, fat client, client-server, n-tier design);
- Substantial knowledge of project management principles and techniques;
- Substantial knowledge of extensible markup language (XML), hypertext markup language (HTML), and scripting languages;
- Ability to create efficient codes to accomplish system design and program performance objectives;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language as required by the situation;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate a personal-computer using standard or customized software applications appropriate to assigned tasks;
- Ability to fully understand various integrated development environments, programming languages, algorithms, and techniques~~various programming languages;~~
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;

4

- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelors Degree in Computer Science; and
- Considerable experience in developing, designing, deploying and supporting business software and maintaining computer programs and applications; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

Required Special Qualifications

- None.

Essential Physical Abilities

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to review a wide variety of materials in electronic or hardcopy form;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to access computer program information and to operate related equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to transport assigned equipment as necessary to perform timely computer program review and troubleshooting procedures, and to function within the general office environment.

Approved by: _____ Date: _____

4

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending Sections 33.024, 33.025, & 33.026 (Senior Applications Developer/Analyst) of the Code of Ordinances of the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Change Classification for Computer Programmer/Analyst to Senior Applications Developer/Analyst, Class Code 2190, no change in Class Code

SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Change Computer Programmer/Analyst to Senior Applications Developer/Analyst, Class Code 2190, Grade 21, no change in Grade

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Change Class Specification for Computer Programmer/Analyst to Senior Applications Developer/Analyst, Class Code 2190, Grade 21, exempt

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

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To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinances:

"Amending Section 33.054 (B) (2) (Overtime Compensation/Comp Time) of the Code of Ordinances of the City of Manchester."

"Amending Section 33.076 (A), Special Leave of the Code of Ordinances of the City of Manchester."

"Amending Section 33.080 (A) (1) Military Service, of the Code of Ordinances of the City of Manchester."

and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Aldermen Gatsas, Shea, Pinard and Duval voted yea; Alderman Garrity was absent.)

Respectfully submitted,

L.R. Bernier

Clerk of Committee

Meeting of the Board of Mayor and Aldermen
held Sept. 5, 2006 on a motion of Ald. O'Neil
Duly seconded by Ald. Duval the report
of the Committee was accepted and its recommendations

(adopted) ~~(denied)~~

[Signature]
City Clerk

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City of Manchester New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending Section 33.054 (B) (2) (Overtime Compensation/Comp Time) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.054 (B) (2), Overtime Compensation/Comp Time, of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.054 (B) (2), not struck through or bolded remains unchanged.

§ 33.054 (B) (2) OVERTIME COMPENSATION/COMP TIME

(2) ~~Compensatory time off in lieu of overtime payment shall be at time and one half rate. Such compensatory time earned must be taken within one pay period following the dates earned or request for payment for overtime must be submitted for the employee by the department. Compensatory time shall not be accrued beyond the pay period following the overtime actually worked. Such compensatory time shall be used only to compensate employees who are on a 35 hour standard work week and work more than seven hours per day or more than 35 hours, but not over 40 hours in one week. All overtime worked beyond 40 hours in one week must be paid at the time and one half, except for executive, administrative and professional employees in exempt positions as defined in the administrative regulations.~~

(2) Compensatory time off in lieu of overtime payment shall be at time and one half rate. The maximum amount of compensatory time that may be accrued is 80 hours. The Department Head shall determine whether it is in the best interest of the department to pay the employee for overtime or to allow the employee to accrue compensatory time. Compensatory time off may be granted by the Department when it least interferes with the efficient operation of the Department. Accrued compensatory time must be utilized prior to the employee terminating from employment.

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

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CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



July 17, 2006

Alderman Ted Gatsas, Chairman
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Proposed Change to Ordinance 33.054(B)(2)
Overtime Compensation/Compensatory Time

Dear Alderman Gatsas and Members of the Committee:

I would like to propose a change to the current Ordinance that provides for compensatory time in lieu of paid overtime. If you will refer to the attached document, you will see the current language which is in Ordinance 33.054(B)(2).

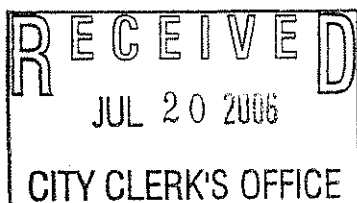
The current Ordinance requires that the employee must use the compensatory time prior to the end of the following pay period. Typically, overtime, or compensatory time is worked when there is a peak in the work load. One can not always predict precisely when that peak will end. Further, by establishing a maximum accrual, the Department Head will have the discretion to allow the employee to take the compensatory time off when it will least interfere with efficient operations of his/her department. This seems more reasonable than the current mandate. Generally, by Federal law, employees may accrue compensatory time to a maximum amount of 240 hours. I am proposing eighty (80) hours for City employees. I am also proposing that all accrued compensatory time will have to have been taken prior to the employee terminating from City employment. This will ensure that we do not have an un-funded liability.

Your favorable approval of the change to the compensatory time Ordinance would be greatly appreciated.

Respectfully submitted,

Virginia A. Lamberton
Human Resources Director

Attachment



City of Manchester New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending Section 33.076 (A), Special Leave of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- I. Amend Section 33.076 (A) Special Leave, of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.076 (A) not struck through or bolded remains unchanged.

§ 33.076 (A) SPECIAL LEAVE

(A) ~~In addition to other leaves authorized by this subchapter, a department head with approval of the Mayor, may authorize an employee to be absent without pay for personal reasons for a period or periods not to exceed ten work days in any calendar year.~~

(A) In addition to other leaves authorized by this subchapter, a department head shall be authorized to grant an employee up to 90 days without pay in a calendar year.

- II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

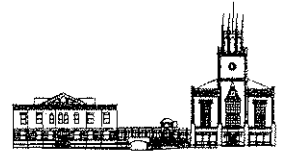




CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov



July 18, 2006

Alderman Ted Gatsas, Chairman
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Proposed Change to Ordinance 33.076(A), Special Leave

Dear Alderman Gatsas and Members of the Committee:

Currently, a Department Head, with concurrence of the Mayor, is only authorized to grant an employee ten days without pay in any calendar year. Any additional time off without pay beyond the ten days as authorized by this Ordinance, must have the approval of the Board of Mayor and Aldermen.

Leave without pay is typically due to an employee's own illness or the serious illness of an immediate family member. Occasionally, there will be other circumstances, but most often the time is needed for serious health problems.

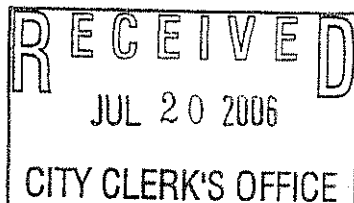
Section 3.04, Authority, in the City Charter gives a Department Head exclusive authority within their departments in personnel matters. It would seem appropriate to have a Department Head make the determination as to whether or not he/she can or can not grant an employee up to ninety (90) days off without pay. Any additional time off beyond the ninety (90) days in a calendar year, would require approval from the Board of Mayor and Aldermen.

Your favorable approval of this change would be greatly appreciated.

Respectfully submitted,

Virginia A. Lamberton
Human Resources Director

Attachment



City of Manchester New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending Section 33.080 (A) (1) Military Service, of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.080 (A) (1) Military Service, of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.080 (A) (1) not struck through or bolded remains unchanged.

§ 33.080 (A) (1) MILITARY SERVICE

(1) **In addition to the ten paid military days for training each training year (October 1 to September 30), said employees shall be eligible for five additional paid military days to attend military funerals as assigned by the military.**

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.





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July 18, 2006

Alderman Ted Gatsas, Chairman
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Request to Amend Ordinance 33.080, Military Service

Dear Alderman Gatsas and Members of the Committee:

Currently the City provides ten days of paid military leave to members of the Reserves or National Guard. Any other military orders that the Reservist or National Guard member receives, requires the employee to utilize his/her vacation time if such is available. If no vacation time is available, the employee must take the time off without pay.

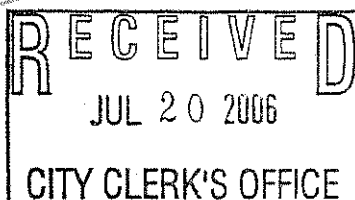
Unfortunately there have been all too many deaths of our service men and women. I have been informed that often times the Reservist or National Guard member will receive orders to attend and participate in funerals. One person told me that he has used almost all of his time to fulfill these orders. Therefore, I would like to suggest that we increase the paid military leave. Specifically, I am recommending that we allow an additional five days of paid military leave for the specific purpose of attending funerals that the employees are ordered to participate in.

Your favorable approval of this request would be greatly appreciated.

Respectfully submitted,

Virginia A. Lamberton
Human Resources Director

Attachment



To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinance:

"Amending Section 33.062 (D), Part-Time Employees, of the Code of Ordinances of the City of Manchester."

establishing minimum hours for part time employees relating to the retirement and health insurance program as enclosed herein, and recommends same be referred to the Committee on Bills on Second Reading for technical review.

Aldermen Gatsas, Shea, Pinard, Duval in favor; Alderman Garrity absent.

Respectfully submitted,

At a meeting of the Board of Mayor and Aldermen

held Sept. 5, 2006 on a motion of Ald. O'Neil

duly seconded by Ald. Duval the report

of the Committee was accepted and its recommendations

(adopted) ~~(denied)~~

Carol Johnson
Clerk of Committee

Johnson
City Clerk

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City of Manchester New Hampshire

In the year Two Thousand and six

AN ORDINANCE

"Amending Section 33.062 (D), Part-Time Employees, of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.062 (D) Part-Time Employees, of the Code of Ordinances of the City of Manchester by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.062 (D) not struck through or bolded remains unchanged.

§ 33.062 (D) PART-TIME EMPLOYEES

(D) An employee who is employed to work thirty-two hours per week in a position that does not have an end date, shall be required to participate in the Contributory Retirement System unless the position is designated as a Group II position. (Current part-time employees who are working less hours, and who are currently contributing to the Contributory Retirement System, may continue to so.) Said employees shall be eligible to participate in the health insurance program upon retirement.

II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.





CITY OF MANCHESTER

Human Resources Department

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Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
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July 25, 2006

Alderman Ted Gatsas, Chairman
Human Resource and Insurance Committee
City of Manchester
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Items 9 and 10 on the Agenda

Dear Alderman Gatsas and Members of the Committee:

There are two items on the Agenda that can be addressed by passing the attached Ordinance. Specifically, Item 9 was proposed originally to prohibit part time employees from being able to enroll in our health insurance program upon retirement. Item 10, was tabled at our last meeting. This Item was proposed to establish the minimum number of hours a part time employee must work in order to participate in the Contributory Retirement System.

After our last meeting, it was pointed out to me that it would be improper to prohibit current part time employees who are contributing to the Retirement System from purchasing health insurance upon retirement. Current part time employees are required to contribute five percent (5%) of their earnings as are full time employees. This contribution increased from 3.5 % to 5% as of July 1, 2006 for the purpose of contributing to the health insurance subsidy. Since the part time employees are contributing to the health insurance subsidy, it would be improper to prohibit them from being able to purchase the health insurance at retirement.

The enabling legislation for the Manchester Contributory Retirement System, provides for participation in that system for both full time and part time employees. It is up to the City to determine how many hours a part time employee must work in order to participate. As per the Human Resource and Insurance Committee's request, I was instructed to find out how many hours other cities and towns require part time employees to work in order to participate in their retirement programs. According to what I have learned, if they choose to provide retirement, the other cities and towns participate in the State Retirement System. The State Retirement System will not let anyone participate unless they are a full time employee.

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Alderman Ted Gatsas

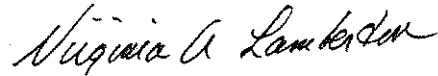
- 2 -

July 25, 2006

In consideration of all of the information above, it is my recommendation to add Section (D) to the current Ordinance 33.062. This would make it clear as to how many hours a part time employee must work (prospectively) in order to participate in the Contributory Retirement System and thus the health insurance upon retirement.

Your favorable approval of the attached Ordinance would be greatly appreciated.

Respectfully submitted,



Virginia A. Lamberton
Human Resources Director

Attachment



City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester.

SECTION II. Article 4.01 B Overlay Districts

Article 4.01(B) 10 Lake Massabesic Protection Overlay District (LMPOD)

The purpose of this overlay district is to protect the Lake Massabesic drinking water supply to the City of Manchester.

SECTION III. Article 4.02 Official Zoning Maps

4.02 (A) “... the Historic Districts Overlay districts, the Arena Overlay District, the Manchester Landfill Groundwater Management Zone Overlay District, and the Lake Massabesic Protection Overlay District.”

SECTION IV. Article 7 Special District-Wide Regulations

7.11 Lake Massabesic Protection Overlay District (LMPOD)

A. Authority for the Lake Massabesic Protection Overlay District

The Lake Massabesic Protection Overlay District is adopted pursuant to Section 1.03, Authority, of this Ordinance, and in accordance with the provisions of RSA 674:21, Innovative Land Use Controls.

B. Establishment of the Lake Massabesic Protection Overlay District

The Lake Massabesic Protection Overlay District includes the entire Lake Massabesic watershed located in Manchester. This area is called out to avoid impacts that may affect the drinking water supply over the long term, addressing such issues as stormwater contamination, imperviousness, steep slope disturbance and other land use activities that could potentially be a nonpoint source water quality issue or diminish surface water recharge. EPA Phase II Stormwater Regulation criteria applies to all development creating disturbance to land in the Lake Massabesic Protection Zone.

C. Prohibitions within the Lake Massabesic Protection Overlay District

1. Regardless of the underlying zone, the following land uses, as listed in Article 5.10 Table of Principal Uses and Table 5.11 Table of Accessory Uses are deemed incompatible with the intent of and prohibited in the Lake Massabesic Protection Overlay District:

b

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by establishing the Lake Massabesic Protection Overlay District (LMPOD) to protect the Lake Massabesic drinking water supply in the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Use No.	Use	Critical	See Section 7.11
C.2	Building contractor yards	X	Outdoor storage
D.1	Primary manufacturing ind.	X	If unsewered
D.2	Other manufacturing fabrication	X	If unsewered
D.3	Materials research and testing	X	If unsewered
D.6	Research and Development	X	
E.1	Taxi, bus, rail terminal	X	
E.4	Truck or rail terminal	X	
E.5	Bulk fuel storage for distribution	X	
E.6	Airports, air terminals	X	
E.11	Solid waste / resource recovery	X	
H-6.1	Domestic laundry and cleaning	X	If unsewered
H-6.8	Ind. launderers, dyers	X	If unsewered
I.1	Sales or rental of motor vehicles	X	
I.2	Sales, rental, repair of boats, etc	X	
I.3	Sales, rental, repair of heavy eq.	X	
I.4	Automotive repair	X	
I.5	Automotive service station	X	
I.6	Carwashes and car care centers	X	
M.2	Accessory outside storage ind	X	
M.3	Accessory manufacturing use	X	

2. In addition, the following restrictions and/or prohibitions of land uses apply within 50 feet of waterways or wetlands in the Lake Massabesic Protection Overlay District: No impervious surfaces (driveways, parking lots, roads, etc.) or septic systems.

D. Additional Restrictive Policies Pertaining to the Lake Massabesic Protection Overlay District.

In addition to the restrictions listed in this LMPOD, the District is also subject to criteria and guidelines contained in the following documents on file in the City:

- City Stormwater Ordinance (and any subsequent revisions) - Highway Department
- City Stormwater Rules and Regulations (and any subsequent revisions) - Highway Dept.
- Subdivision and Site Plan Regulations (and any subsequent revisions) - Planning Department

SECTION V. Resolve this ordinance shall take effect upon passage.

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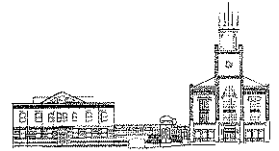


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

September 15, 2006

Committee on Bills on Second Reading
Board of Mayor and Aldermen, City Hall
One City Hall Plaza
Manchester, NH 03101

re: *Proposed Lake Massabesic Protection Overlay District*

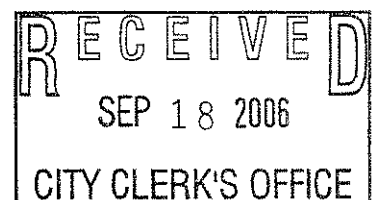
Honorable Committee Members:

Following the public hearing, we have met with representatives of the Manchester Water Works to discuss the public comments and review options. We are recommending four changes to the ordinance and are providing several comments on the issues raised.

Recommended Changes:

- 1) As suggested at the hearing, we are proposing to eliminate the phrase "...or septic systems." from Section 7.11 C 2. As such, regulation of septic systems would not be changed by the proposed ordinance.
- 2) We recommend that 7.11 C 2. also be amended by adding the following sentence at the end of the Section:
"Residential lots of 12,500 square feet or less shall be exempt from this requirement."
This will insure that smaller lots within the overlay area, that have less room to place impervious surfaces, will not be impacted by the requirements.
- 3) We are suggesting that the following uses would not called out as prohibited in the overlay district:
 - C.2 Building Contractor yards
 - D.1 Primary manufacturing ind.
 - D.2 Other manufacturing fabrication
 - D.3 Materials research and testing
 - D.6 Research and Development
 - E.4 Truck or rail terminal
 - E.5 Bulk fuel storage for distribution
 - E.6 Airports, air terminals
 - E.11 Solid waste/resource recovery

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov



H.6.1 Domestic laundry and cleaning

H.6.8 Industrial launderers, dyers

These uses are not currently allowed in any zoning district within the watershed area. The provisions of the 4th change would help protect against future problems with these uses.

- 4) We are recommending that Section 14.02 Powers and Duties of the ZBA be amended to add the following new subsection B.6:

“6. Any proposed non-residential variance request located within the Lake Massabesic Protection Overlay District shall be forwarded to the Manchester Water Works for comment prior to the hearing on the variance.”

Other comments:

- a) While there was some concern about the term “domestic laundry...”, this phrase in the Zoning Ordinance does not apply to household laundry in residential dwellings. In any event, this section is being eliminated from the proposed ordinance.
- b) An Alderman asked for information on the schedule for new sewers in the Candia Road area. The MWW is contacting the Public Works Department for a schedule and will have it available for the aldermen.
- c) We have attached a listing of various business uses that would still be allowed in the B-2 zoning district were the proposed ordinance approved.
- d) We have attached a map of the watershed overlay area for each of the Aldermen.

I will be available to the Committee to review this matter if you have any questions.

Sincerely,



Robert S. MacKenzie

Director of Planning and Community Development

C: Tom Bowen
Leon LaFreniere

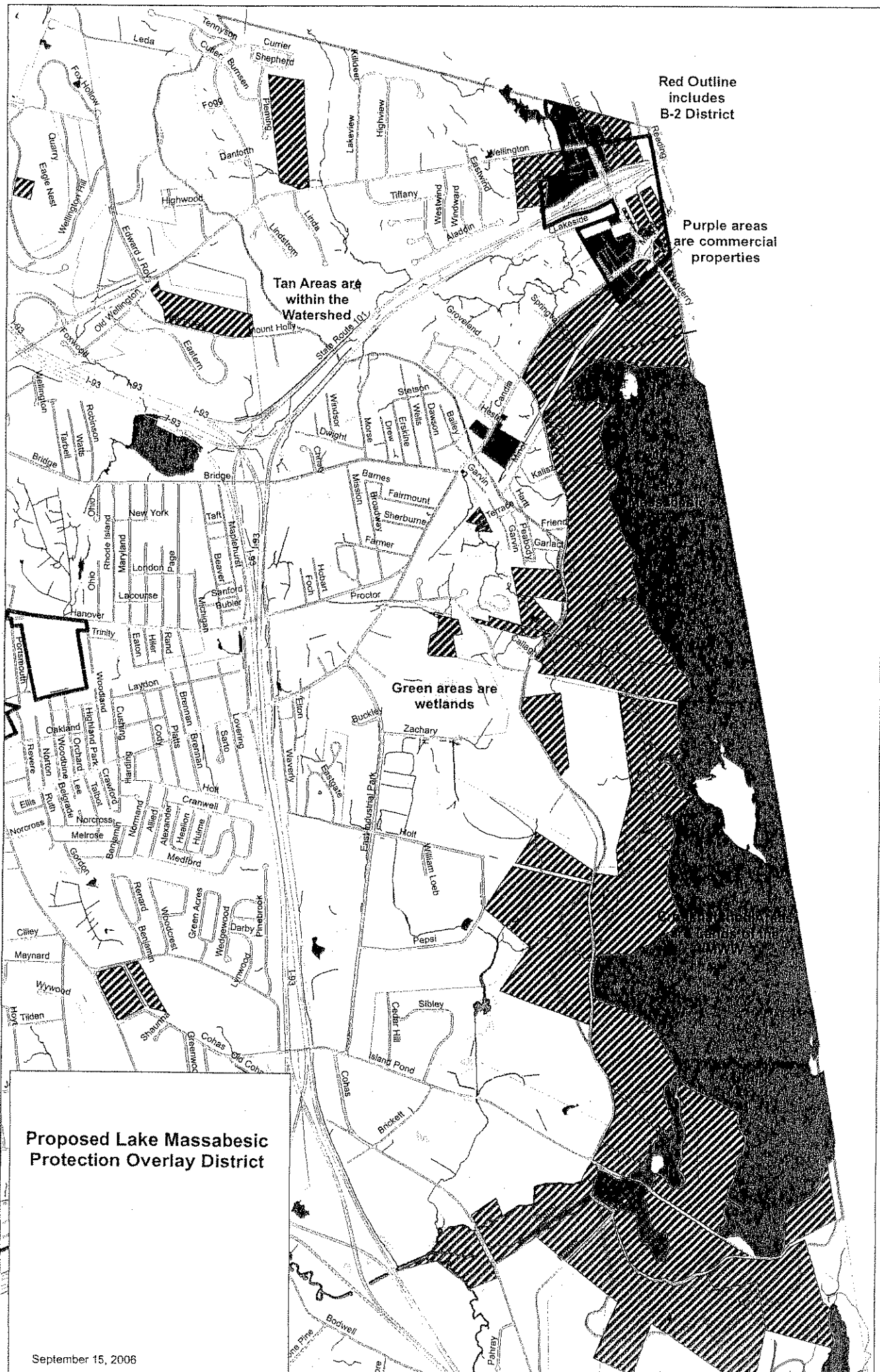
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The following principal uses would be permitted, either by right or with a Conditional Use Permit from the Planning Board, on property zoned B-2 within the proposed Lake Massabesic Protection Overlay District:

- Dwellings in upper stories of building with commercial first floor (A.8)
- Congregate housing (A.10)
- Commercial kennel (B.5)
- Veterinary hospital (B.6)
- Printing & Publishing (D.5)
- Limousine or taxi service (garage) (E.2)
- Warehousing or wholesale storage & distribution facilities (E.3)
- Telecommunications Towers (freestanding) (E.7)
- Telecommunications Antennae (on existing structures) (E.8)
- Radio/TV stations, offices, studios (E.9)
- Telephone, telecommunications & cable service operations & maintenance facilities (E.10)
- Essential public services, utilities & appurtenances (E.12)
- Building construction materials, nursery products, garden centers, manufactured housing, and similar retail uses with extensive outside storage of inventory (F.1)
- Furniture & major appliance stores (F.2)
- Convenience retail uses including grocery, delicatessen, drug store & similar uses in establishments of up to 8,000 square feet (F.3)
- Convenience retail uses including grocery, delicatessen, drug store & similar uses in establishments greater than 8,000 square feet (F.4)
- Sales of general goods & merchandise within an establishment of up to 8,000 square feet (F.5)
- Sales of general goods & merchandise within an establishment greater than 8,000 square feet (F.6)
- Restaurants of up to 5,000 square feet, serving alcoholic beverages (G.1)
- Restaurants greater than 5,000 square feet, serving alcoholic beverages (G.2)
- Night clubs & other establishments (G.3)
- Establishment of up to 5,000 square feet, not serving alcoholic beverages, and without drive-through service (G.4)
- Establishment greater than 5,000 square feet, not serving alcoholic beverages, and without drive-through service (G.5)
- All establishments with drive-through service (G.6)
- Banking, financial, real estate & insurance offices (H-1.1)
- Other business & professional offices (H-1.2)
- Offices of health care practitioners & outpatient health care (H-2.1)
- Nursing homes, rehabilitation & convalescent centers providing 24-hour nursing care (H-2.3)

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- Medical & dental laboratories (H-2.4)
- Hotels, motels & extended stay facilities (H-3.1)
- Conference, trade or convention center (H-3.3)
- Theaters, cinemas & concert halls (H-4.1)
- Amusement arcade & dance hall (H-4.2)
- Dance or music studios & schools (H-4.3)
- Bowling centers & billiard halls (H-4.4)
- Mini-golf (H-4.8)
- Competitive sports facility with spectator seating (H-5.1)
- Indoor health & fitness center, pool, gym or membership recreation center (H-5.2)
- Outdoor recreation facility, golf course, or membership sports club (H-5.3)
- Photographic studios (H-6.2)
- Beauty & barber shops, tailors, shoe repair & shoeshine parlors (H-6.3)
- Watch, clock, jewelry, home furnishings & small appliance repair (H-6.4)
- Photo labs, media & mailing services, copy centers, sign shops (H-6.5)
- Self-service storage facility (H-6.6)
- Funeral parlors & crematories (H-6.7)
- Large appliance repair, furniture repair or upholstery shop (H-6.9)
- Equipment rental & leasing (H-6.10)
- Business equipment repair & maintenance (H-6.11)
- Tattoo Parlors (H-6.12)
- Commercial parking garage (I.7)
- Commercial surface parking lot (I.8)
- Elementary or secondary school, including recreation facilities (public) (J.1)
- Public or private college or university, including dormitories (J.3)
- Business & trade schools (J.4)
- Cultural facilities, such as museums & libraries (J.5)
- Commercial child daycare facilities (J.6)
- Adult daycare facilities (J.7)
- Membership fraternal & social organizations & clubs (J.8)
- Churches (J.9)
- Monasteries & convents (J.10)
- Cemeteries (J.11)
- Ambulance & emergency services (J.11)
- Municipal facilities (J.13)



**Proposed Lake Massabesic
Protection Overlay District**

September 15, 2006

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 1. Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay District to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.

SECTION II. **Article 3.03 Definition of Terms**

Groundwater: Subsurface water that occurs beneath the water table in soils and geologic formations.

Groundwater Management Zone: Designated by the State through permit process as a component of the remediation of contaminated groundwater. The State shall issue permits or other similar controls for such zones that establish a time period and process for the remediation of the groundwater.

SECTION III. **Article 4.01 B Overlay Districts**

4.01 B. 9 Manchester Landfill Groundwater Management Zone (ML-GMZ)

The purpose of this overlay district is to protect public health by restricting groundwater use. The groundwater quality is being monitored under a permit issued by New Hampshire Department of Environmental Services (NHDES). Pumping of groundwater from any well, trench, or other structure for residential, irrigation, agricultural, or industrial purpose is prohibited, unless it is for the specific purpose of pumping groundwater out of a sump to keep a cellar from flooding. The extent of the District shall be as referenced by NHDES Permit as the Manchester Landfill Groundwater Management Zone.

SECTION IV. **Article 4.02 Official Zoning Maps**

4.02.A “...In addition to the base districts, the map includes the *Residential–Professional Office (R-PO) Overlay districts* and the *Historic Districts Overlay districts*, the *Arena Overlay district*, and the *Manchester Landfill-Groundwater Management Zone (ML-GMZ) Overlay district*. The Airport Navigational....”

City of Manchester New Hampshire

In the year Two Thousand and

Six

AN ORDINANCE

“Amending the Zoning Ordinance of the City of Manchester by establishing the Manchester Landfill Groundwater Management Zone (ML-GMZ) Overlay district to monitor groundwater quality in the vicinity of Dunbarton Road and Front Street.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION V. **Article 7 Special District-Wide Regulations**

7.10 Manchester Landfill Groundwater Management Zone (ML-GMZ)

A. Authority for the ML-GMZ Overlay

The Manchester Landfill Groundwater Management Zone is adopted pursuant to Section 1.03, Authority, of this Ordinance, and in accordance with the provisions of RSA 674:21, Innovative Land Use Controls. Monitoring wells and surface water sampling stations constitute remediation activities and ML-GMZ Overlay district is considered to be an innovative land use control as environmental characteristics zoning.

B. Establishment of the ML-GMZ Overlay

The Manchester Landfill Groundwater Management Zone Overlay is established in accordance with, and for the purposes so stated in Section 4.01, Establishment and Purpose of Districts, of this Ordinance. It encompasses lands in NHDES Manchester Landfill Groundwater Management Zone Permit as indicated on the Overlay Map Manchester Landfill Groundwater Management Zone adopted pursuant to Section 4.02 (A) Official Zoning Base District Map, of this Ordinance.

The Manchester Landfill Groundwater Management Zone Overlay Map displays those parcels effected by groundwater contamination by virtue of lying downgradient of the City landfill. Withdrawal of groundwater from this area is prohibited (see Article 4.01 B.9) in the interest of public health, safety, and general welfare. The area contains monitoring wells and surface water sampling stations that survey the remediation of degraded groundwater supplies. The extent of the area is referenced by NHDES Permit.

C. Uses Prohibited within the ML-GMZ Overlay

Pumping of groundwater from any well, trench, sump, or other structure for residential, irrigation, agricultural, or industrial purpose is prohibited, unless it is for the specific purpose of pumping groundwater out of a sump to keep a cellar from flooding.

SECTION VI. Resolve this ordinance shall take effect upon passage.

7

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by adding language to Article 10.09B 2 regarding the use of front yard areas for parking in residential districts."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by adding a second sentence to Article 10.09B.2 Front yard that reads: "*One additional parking space may be provided within a paved area adjacent to a driveway, provided that the additional space is outside the required minimum front yard setback.*"

SECTION II.) Resolve this Ordinance shall take effect upon passage.



City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending the Zoning Ordinance of the City of Manchester by adding language to 5.11 Table of Accessory Uses regarding the storage of unregistered automobiles."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION I.) Amending the Zoning Ordinance of the City of Manchester by adding language to 5.11 K2 of the Table of Accessory Uses so that it reads: "Accessory storage of one trailer, one unregistered *or otherwise non-roadworthy* automobile or one boat."

SECTION II.) Resolve that this Ordinance shall take effect upon passage.

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City of Manchester New Hampshire

SUBSTITUTE

In the year Two Thousand and

AN ORDINANCE

"Amending the Building Code of the City of Manchester as adopted in Section 151.01 of the City of Manchester Code of Ordinances by repealing the 1999 National Electrical Code and adopting the 2005 edition of the National Electrical Code; by repealing the 1993 BOCA National Plumbing Code and adopting the 2000 edition of the International Plumbing Code as amended by the State of NH Board of Licensing and Regulation of Plumbers and with further amendments contained herein."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

SECTION 1. Certain documents, two (2) copies of each which are on file in the Office of the City Clerk of the City of Manchester being marked and designated as the *2005 National Electrical Code* and *2000 International Plumbing Code* as published by the International Code Council, Inc., be and are hereby adopted as the *Electrical Code* and *Plumbing Code* of the City of Manchester in the State of New Hampshire, and each and all of the regulations, provisions, penalties, conditions and terms of said *Electrical Code* and *Plumbing Code* are hereby referred to, adopted and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes prescribed in Section 2 of this Ordinance.

SECTION 2. The following sections are hereby amended as follows:
(Note: Old text shown as struck-through; new text shown italicized.)

CHAPTER 1 ADMINISTRATION

101.4.1 Electrical. The provisions of NFPA 70 (National Electrical Code), 1999 2005 Edition, and or/ such regulations administered by the State of New Hampshire Electricians Licensing Board shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.4 Plumbing. The design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and storm water and sewage disposal in buildings, shall comply with the provisions of the ~~BOCA National Plumbing Code, 1993~~ 2000 Edition of the *International Plumbing Code*. Additional requirements as adopted by the State of New Hampshire Plumbers Licensing Board of Licensing and Regulation of Plumbers (RSA 329-A), and the Sewer Use Ordinance of the City of Manchester, NH shall also be adhered to. Private sewage disposal systems shall meet the requirements of RSA 149-E and the regulations of the Manchester Board of Health.

CHAPTER 27 ELECTRICAL.

2701.1 Scope. All such installations shall conform to the provisions of NFPA 70 (National Electric Code), 1999 2005 Edition, and/or such regulations administered by the State of New Hampshire Electricians Licensing Board, whichever shall be deemed more stringent.

2702.1 Installation. Emergency and standby power systems shall be installed in accordance with the NFPA 70 (National Electrical Code), 2005 Edition, NFPA 110 and NFPA 111.

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City of Manchester New Hampshire

In the year Two Thousand and

AN ORDINANCE

"Amending the Building Code of the City of Manchester as adopted in Section 151.01 of the City of Manchester Code of Ordinances by repealing the 1999 National Electrical Code and adopting the 2005 edition of the National Electrical Code; by repealing the 1993 BOCA National Plumbing Code and adopting the 2000 edition of the International Plumbing Code as amended by the State of NH Board of Licensing and Regulation of Plumbers and with further amendments contained herein."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

CHAPTER 29 PLUMBING SYSTEMS

Delete Section 2901.1 in its entirety, and substitute the following:

2901.1 Scope: The design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and storm water and sewage disposal in buildings, shall comply with the requirements of this chapter and the BOCA International Plumbing Code, 1993 2000 Edition. Additional requirements as adopted by the State of New Hampshire Plumbers Licensing Board (RSA 329-a), and the Sewer Use Ordinance of the City of Manchester, NH, shall also be adhered to. Private sewage disposal systems shall meet the requirements of RSA 149-E and the regulations of the Manchester Board of Health.

The following amendments shall be made part of the Plumbing Code:

~~2000 International Plumbing Code~~ *International Plumbing Code 2000 Edition*

Section 312.3 Drainage and Vent Air Test. Amend by adding to the second sentence:

"This pressure shall be held for a test period of at least 15 minutes *"by using a low pressure (0-5 lbs.) gauge"*.

Section 419 Urinals. Amend by adding a new subsection:

"419.4 Public and Employee Facilities" "Urinals without visible water trap seals shall not be permitted in public or employee restrooms."

Section 501.2 Water Heater as Space Heaters. Amend the first sentence to read as follows:

"Where a combination potable water heating and space heating system requires water for space heating at temperatures higher than 140° F (60° C), a tempering valve shall be provided to limit the water supplied to the potable hot water distribution system to a temperature of ~~140° F (60° C)~~ *130° F (54.4° C) maximum.*"

Section 501.6 Water Temperature Control in Piping from Tankless. Amend the first sentence to read as follows:

The temperature of water from tankless water heaters shall be a maximum of ~~140° F (60° C)~~ *130° F (54.4° C)* when intended for domestic uses *and shall be accomplished with the use of a mixing valve conforming to ASSE 1017.*

Section 501.8 Temperature Controls. Amend to read as follows:

"All hot water storage and supply systems shall be set to a minimum of 140° F (60° C), and shall be equipped with automatic temperature controls *and a mixing valve conforming to ASSE1017 to*

City of Manchester New Hampshire

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BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

limit the water supplied to the potable hot water distribution system to a temperature of 130° F (54.4° C) maximum."

Section 504.1 Antisiphon Devices. Amend to read as follows:

"An approved means, such as a cold water "dip" tube with a hole at the top or a "A" vacuum relief valve installed in the cold water supply line above the top of the heater or tank shall be provided to prevent siphoning of any storage water heater or tank.

Table 605.4 Water Service Pipe. Amend line 5 to read as follows:

Copper or copper-alloy tubing (Type K, WK, L, WL, ~~M-OR~~ WM).

Table 605.5 Water Distribution Pipe. Amend line 4 to read as follows:

Copper or copper-alloy tubing (Type K, WK, L, WL, ~~M-OR~~ WM).

Table 702.2 Underground Building Drainage and Vent Pipe. Delete lines 5 and 7 in their entirety and amend line 9 to read as follows:

Copper or copper alloy tubing (Type K, L, ~~M-OR~~ DWV).

Section 905.6 Vent for Future Fixtures. Amend by deleting entire paragraph and replacing it with the following:

"Within any habitable or occupiable spaces at the lowest level of a structure where plumbing fixtures are not installed, there shall be made available an accessible vent connection, not less than 2" in diameter, which is properly connected to the vent system to provide for future venting."

Section 912.2 Combination Drain & Vent System. Amending the first sentence to read as follows:

A combination drain and vent system shall not serve fixtures other than floor drains, standpipes, sinks and lavatories *"and may be installed only when approved by the Authority having jurisdiction."*

Section 917 Air Admittance Valves. Delete Sections 917.2 through 917.8 and amend 917.1 to read as follows:

"Vent systems utilizing air admittance valves shall be allowed only where part of an engineered system designed by an engineer, licensed to practice in New Hampshire, or as approved by the Authority having jurisdiction."

SECTION 3. This Ordinance shall take effect upon its passage.

AMENDMENTS
To the
2000 International Plumbing Code
effective August 13, 2004

CHAPTER Plu 700 STATE PLUMBING CODE

PART Plu 701 NATIONAL CODE REFERENCE

Plu 701.01 International Plumbing Code. As per RSA 329-A:15, I and II, the board hereby adopts by reference the International Plumbing Code, 2000 Edition, as published in cooperation with the Building Officials and Code Administrators International, Inc., the International Conference of Building Officials, and the Southern Building Code Congress International, Inc., as amended by Plu 701.02.

Plu 701.02 New Hampshire Amendments to the International Plumbing Code. The following amendments shall apply to the code incorporated:

101.0 Title. These regulations shall be known as the *International Plumbing Code of New Hampshire* hereinafter referred to as "this code".

101.2 Scope . The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. The installation of fuel gas distribution piping and equipment, fuel gas-fired water heaters, and water heater venting systems shall be regulated by the *International Fuel Gas Code* . Provisions in the appendices shall not apply unless specifically adopted.

104.2 Rule-Making Authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare to adopt and promulgate *written* rules and to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering practice involving public safety.

106.6.2 Fee schedule. The fees for all plumbing work shall be as indicated in the *Administrative Rules Plu 306.01 and/or by local jurisdiction*.

106.6.3 Fee refunds . Delete this section in its entirety.

108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall ***be subject to the penalties prescribed by RSA 155-A:8 and RSA 329-A:18,II.***

108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or, to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall comply with ***RSA 155-A:8 and RSA 329-A:17.***

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305.6.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall **conform to RSA 485-A relative to minimum depth below finished grade. Building sewers that connect to public sewers shall be a minimum depth of 4 feet below grade or adequately insulated to afford the same protection whenever a condition arises that the 4 feet cannot be attained.**

403.2 Separate facilities . Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions

1. Separate facilities shall not be required for private facilities.
2. Separate employee facilities shall not be required in occupancies in which 15 or less people are employed.
3. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both the employees and customers, of 15 or less.

4. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 50 or less.

5. Separate facilities shall not be required in assembly occupancies that serve food with a total occupant load, including both employees and customers of less than 25.

605.12.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564 or CSA CAN/CSA-B137.3 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.

701.2 Sewer required. Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer, where available, or an approved private sewage disposal system in accordance with **RSA 485-A:29-44.**

705.8.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA CAN/CSA-B137.3, CSA CAN/CSA-B181.2 or CSA CAN/CSA-B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.

705.14.2 Solvent cementing. Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA CAN/CSA-B137.3, CSA CAN/CSA-B181.2 or CSA CAN/CSA-B182.1 shall be applied to all joint surfaces. The joint shall be made when the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.

904.1 Roof extensions. All open vent pipes that extend through a roof shall be terminated at least **12"** above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet (213 mm) above the roof.

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

"Amending Chapter 1 Administration of the Building Code of the City of Manchester providing for increased fees"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Section 108 FEES of the Building Code of the City of Manchester is hereby amended as follows: (Note: Old text shown as struck-through; new text shown italicized.)

108.8 Fee Schedule

1) Building Permits

- (B) For all other new buildings and structures, and additions to existing buildings and structures, the permit fee shall be the estimated cost of the work multiplied by ~~.008~~ *.010*.

8) Heating/Cooling Equipment

Adding a new sub-section:

E) Ventilation ductwork:

- 1) up to 400 CFM - \$15.00*
- 2) each additional 400 CFMs - \$10.00*

9) Plumbing

- A) For each fixture installed or replaced - ~~\$4.00~~ *\$5.00*

NOTE: The following shall be deemed to be separate fixtures:

- * Each water closet, lavatory, dishwasher, washing machine connection, water filter, water cooler, garbage disposal, sump pump, ejector pump, sterilizer or dental chair
- * Each combination fixture
- * Each 1,2, or 3 compartment sink
- * Each 3 feet or fraction thereof of gang shower length
- * Each interior or exterior drain

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

**"Amending Chapter 1 Administration of the Building Code of the
City of Manchester providing for increased fees"**

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

12) Elevators, Escalators, Amusement Devices & Special Equipment

A) Elevators

Adding a new subsection:

*(3) Initial compliance inspection for devices not
subject to State of New Hampshire permitting* **\$150.00**

II. This Ordinance shall take effect upon its passage.

City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending Chapter 150 Housing Code, Subsection 150.114 and Chapter 155 Zoning Code, Subsection 155.02 of the Code Of Ordinances of the City of Manchester providing for increased fees.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. The following Chapters of the City of Manchester Code of Ordinances are hereby amended as follows: (Note: old text shown as struck-through, new text shown italicized.)

Chapter 150 Housing Code

Section 150.114 Fees; Exemptions

(A) The following fees shall be charged by the Department:

- 1) Application fee – ~~\$15~~ *\$25* per dwelling unit or rooming unit as part of each application for a certificate of compliance.
- 2) Inspection Fee
 - (a) Dwelling unit - ~~\$25.00~~ *\$35.00* per unit for each inspection to determine compliance;
 - (b) Rooming unit - ~~\$40.00~~ *\$15.00* per room for each inspection to determine compliance;
- 3) Re-inspection. For reinspection of a building:
 - (b) 2nd and subsequent reinspections – ~~\$20.00~~ *\$25.00*
 - (c) In addition, after a second reinspection, the fee shall increase by ~~\$5.00~~ *\$10.00* for each subsequent reinspection
- 4) Unaccompanied inspection or reinspection - ~~\$30.00~~ *\$50.00* for each inspection or reinspection at which a building owner or his representative is not present unless such arrangement has been agreed to in advance
- 5) Transfer of Ownership - ~~\$25.00~~ *\$35.00* per certificate to assign a certificate of compliance to a new owner
- 6) Replacement of certificate and permit - ~~\$15.00~~ *\$25.00* per document for replacing an existing certificate of compliance, interim rental permit or transfer permit
- 7) Transfer Permit. Each application for a transfer permit:
 - a) One to four dwelling or rooming units – ~~\$100.00~~ *\$125.00*
 - b) Five to eight dwelling or rooming units – ~~\$200.00~~ *\$250.00*
 - c) in addition, each unit in excess of eight units ~~\$15.00~~ *\$25.00* per unit

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City of Manchester New Hampshire

In the year Two Thousand and Six

AN ORDINANCE

“Amending Chapter 150 Housing Code, Subsection 150.114 and Chapter 155 Zoning Code, Subsection 155.02 of the Code Of Ordinances of the City of Manchester providing for increased fees.”

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester,
as follows:

8) Special Inspections – ~~\$60.00~~ *\$100.00* for each inspection and each additional unit over 4 units – ~~\$15.00~~ *\$25.00*

9) Extended Terms – ~~\$25.00~~ *\$50.00* per certificate to extend the expiration date of a certificate pursuant to an action of the Board.

Chapter 155 Zoning Code

155.02 Fees for Appeal to Board of Adjustment

The following fees are hereby established for ~~variance applications and special exception Zoning Board of Adjustment~~ applications:

Change of use variance – ~~\$250~~ *\$350*

Multi-use variance – ~~\$250~~ *\$350*

Planned developments – ~~\$250~~ *\$350*

Nonconforming subdivisions – ~~\$250~~ *\$350*

Unaccepted way – ~~\$80~~ *\$350*

All others – ~~\$80~~ *variances, special exceptions, administrative appeals, equitable waivers - \$150*

Resubmittal by applicant – ~~\$10~~

Rehearing by abutter – ~~\$80~~ *and subsequent application requests - \$35*

Rehearing by applicant – ~~same as original appeal~~

II. This Ordinance shall take effect upon its passage.